

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

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|---|---|--------------------------------|
| Ikeafans, Inc., |) | |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 1:14-cv-584 (AJT/TCB) |
| |) | |
| IKEA PROPERTY, INC., (successor in |) | |
| interest to IKEA US, INC.), <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

**PLAINTIFF IKEAFANS, INC.’S MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF ITS MOTION TO SEAL AMENDED COMPLAINT AND EXHIBITS
A-D THERETO**

Plaintiff Ikeafans, Inc. (“Ikeafans”), by and through its undersigned counsel, respectfully submits this Memorandum of Points and Authorities in support of its Motion to Seal its Amended Complaint and Exhibit A-D attached thereto.

Ikeafans moves to seal its Amended Complaint and Exhibit A-D thereto because they contain confidential commercial and/or proprietary information under Fed. R. Civ. P. 26(c)(1)(G) and otherwise confidential communications. Defendants have not consented to waive this confidentiality. In addition, presently, Ikeafans believes that its Amended Complaint and the Exhibits thereto are not suitable for redaction because the entirety of the communications contained therein are either confidential materials and/or proprietary information or otherwise confidential communications.

Before this Court may seal court documents, it must: “(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less

drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.” *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000). The presumption of the right of access can be rebutted if countervailing interests heavily outweigh the public interests in access. *Virginia Dep’t of State Police v. Washington Post*, 386 F.3d 567, 575 (4th Cir. 2004). The party seeking to overcome the presumption bears the burden of showing some significant interest that outweighs the presumption. *Id.* at 575.

For the reasons stated above, Ikeafans respectfully requests that the Court enter an Order providing that Ikeafans’ Amended Complaint and Exhibit A-D thereto shall be filed under seal, if and until the Court determines that the Amended Complaint and the Exhibits are not, or should not be, confidential under Rule 26(c)(1)(G) at which time the Court may vacate this Order at its discretion.

DATED: July 14, 2014

**RESPECTFULLY SUBMITTED,
Plaintiff Ikeafans, Inc.**

By Counsel,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 14th day of July, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

In addition, I also served the foregoing on Inter IKEA Systems B.V., a Netherlands company, by way of the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (HCCH Articles 5 and 10(a)) via USPS Express Mail Service.

/s/

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